

1  
2  
3  
4  
5  
6  
7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**  
9

10 TRUSTEES OF THE CONSTRUCTION  
11 INDUSTRY AND LABORERS HEALTH  
AND WELFARE TRUST, *et al.*,

12 Plaintiffs,

13 v.

14 CONCRETE CORING OF NEVADA,  
15 INC., *et al.*,

16 Defendants.

Case No. 2:10-CV-01600-KJDPAL

**ORDER**

17  
18 Presently before the Court is Plaintiffs' Opening Trial Brief (#29) for judgment against  
19 Defendant Old Republic Surety Company ("Old Republic"). Though the time for doing so has  
20 passed Defendant Old Republic has failed to file a response in opposition to the motion for  
21 judgment. Having read and considered the motion, and no material question of fact being found that  
22 prevents entry of judgment, and in accordance with Local Rule 7-2(d), the Court grants Plaintiffs'  
23 motion. Defendant Concrete Coring of Nevada failed to pay contributions to the Trust Funds as  
24 required by the Master Labor Agreement Proxy. Judgment having been entered against Concrete  
25 Coring of Nevada, \$8,750 remains unpaid. Old Republic is a surety that issued a bond in the amount  
26 of \$10,000 for Concrete Coring of Nevada's license and covers wage claims such as Trust Fund

1 contributions. Plaintiffs have expended an additional amount of \$6,133 in attorneys fees and costs  
2 since entry of judgment against Concrete Coring. Therefore, finding the additional attorneys fees and  
3 costs reasonable and necessary, the Court awards the costs and fees in addition to the outstanding  
4 \$8,750. Old Republic has failed to oppose Plaintiffs' motion that it is liable for the outstanding  
5 amount up to the \$10,000 penal sum of the bond.

6 Accordingly, IT IS HEREBY ORDERED that **Judgment** is **GRANTED** for Plaintiffs and  
7 against Defendant Old Republic in the amount of \$10,000;

8 IT IS FURTHER ORDERED that the Clerk fo the Court enter **JUDGMENT** for Plaintiffs  
9 and against Defendant Old Republic Surety Company in the amount of \$10,000.00.

10 DATED this 14<sup>th</sup> day of December 2012.

11  
12  
13 

14 Kent J. Dawson  
15 United States District Judge  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26